

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 60th LEGISLATURE - REGULAR SESSION

COMMITTEE ON APPROPRIATIONS

Call to Order: by Chairman John Sinrud, on February 21, 2007 at 9:05 A.M., in Room 102 Capitol.

ROLL CALL

Members Present:

Rep. John Sinrud, Chairman (R)
Rep. Eve Franklin, Vice Chairman (D)
Rep. Janna Taylor, Vice Chairman (R)
Rep. Bill Beck (R)
Rep. Tim Callahan (D)
Rep. Edith Clark (R)
Rep. Bill E. Glaser (R)
Rep. Ray Hawk (R)
Rep. Cynthia Hiner (D)
Rep. Galen Hollenbaugh (D)
Rep. Joey Jayne (D)
Rep. Dave Kasten (R)
Rep. Bill McChesney (D)
Rep. Penny Morgan (R)
Rep. John L. Musgrove (D)
Rep. Rick Ripley (R)
Rep. Jon C. Sesso (D)
Rep. Jack Wells (R)
Rep. Craig Witte (R)

Members Excused: None.

Members Absent: None.

Staff Present: Linda Keim, Committee Secretary
Jon Moe, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 345, HB 392, HB 554, 2/20/2007
Executive Action: HB 98, HB 259, HB 283, HB 364, HB 378, HB 462, HB 533, HB 547, HB 618, HB 634, HB 727, HB 466, HB 505, HB 516, HB 561, HB 575, HB 608, HB 392.

HEARING ON HB 392

Opening Statement by Sponsor:

00:01:18 Rep. Bob Bergren (D), HD 33, opened the hearing on HB 392, CAFO cost reimbursement in certain instances.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:02:27 Rep. Kasten
00:03:10 Rep. Bergren

Closing by Sponsor:

00:04:31 Rep. Bergren

HEARING ON HB 554

Opening Statement by Sponsor:

00:04:49 Rep. Jill Cohenour (D), HD 78, opened the hearing on HB 554, Child passenger safety violation as primary offense.

[EXHIBIT \(aph39a01\)](#)

Proponents' Testimony:

00:06:44 Steve Yeakel, Montana Advocacy for Children (MAC);
Montana Advocates for Maternal and Child Health (MAMCH)
00:08:18 Jane Hamman, American Automobile Association (AAA);
Montana Traffic Education Association (MTEA)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:09:57 Rep. Morgan
00:10:13 Rep. Cohenour
00:12:14 Rep. McChesney
00:12:58 Rep. Beck
00:13:27 Rep. Cohenour

Closing by Sponsor:

00:14:09 Rep. Cohenour

HEARING ON HB 345

Opening Statement by Sponsor:

00:14:51 Rep. Michael Lange (R), HD 55, opened the hearing on HB 345, Renters' tax credit.

Proponents' Testimony:

00:16:20 Denver Henderson, Associated Students, University of Montana (ASUM)
00:17:49 Scott Martin, Associated Students, Montana State University Billings (ASMSU-B); Great Falls (ASMSU-GF); Havre (ASMSU-N)
00:18:50 Jessica LaRoche, Associated Students, Montana State University, Bozeman (ASMSU)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:19:51 Rep. Jayne
00:20:44 Rep. Lange
00:21:14 Rep. Wells

Closing by Sponsor:

00:22:43 Rep. Lange

EXECUTIVE ACTION ON HB 98

00:23:31 **Motion:** Rep. Franklin moved **HB 98 DO PASS.**
[**EXHIBIT**](#)(aph39a02)
[**EXHIBIT**](#)(aph39a03)

Discussion:

00:23:52 Rep. Franklin
00:25:21 Rep. Morgan

00:26:06 **Motion:** Rep. Franklin moved **TO AMEND HB 98.**

Discussion:

00:26:32 Rep. Jayne
00:27:00 Mr. Moe
00:27:44 Rep. Jayne
00:28:21 Rep. Franklin
00:29:13 Rep. Beck
00:30:01 Rep. Franklin
00:30:07 Rep. Morgan
00:30:11 Rep. Clark
00:30:59 Rep. Morgan
00:31:58 Mr. Moe

00:32:00 **Vote:** Motion passed unanimously by voice vote of those present.

00:32:38 **Motion/Vote:** Rep. Franklin moved **HB 98 DO PASS AS AMENDED**. Motion carried unanimously 19-0 by roll call vote, with Rep. Ripley and Rep. Hiner voting by proxy.

EXECUTIVE ACTION ON HB 259

00:34:11 **Motion:** Rep. Sesso moved **HB 259 DO PASS** with provision that no additional funds be allocated to complete the task.

Discussion:

00:35:43 Rep. Sinrud
00:36:06 Rep. Sesso
00:37:03 Rep. Sinrud
00:38:16 Rep. Musgrove
00:38:45 Rep. Sinrud
00:39:05 Mr. Moe
00:41:14 Rep. Kasten
00:41:59 Rep. Sesso
00:42:23 Rep. Witte
00:42:29 Rep. Sesso
00:44:09 Rep. Musgrove
00:44:57 Rep. Sinrud

00:47:18 **Vote:** Motion carried 17-2 by roll call vote. After the discussion and before the vote, Rep. Sesso decided to remove the provision he had stipulated. Rep. Hawk and Rep. Kasten voted no. Rep. Ripley and Rep. Hiner voted by proxy.

EXECUTIVE ACTION ON HB 283

00:47:45 Rep. Glaser moved **HB 283 DO PASS.**

EXHIBIT(aph39a04)

Discussion:

00:48:10 Rep. Glaser

00:48:38 **Motion:** Rep. Glaser moved **TO AMEND HB 283.**

Discussion:

00:48:58 Rep. Morgan

00:49:52 Rep. Musgrove

00:49:59 Rep. Glaser

00:50:33 Rep. Morgan

00:51:29 Rep. Sinrud

00:52:06 Rep. Kasten

00:52:10 Rep. Sesso

00:52:54 Rep. Sinrud

00:54:08 Rep. Jayne

00:54:42 Rep. Franklin

00:56:59 Rep. Glaser

00:57:29 Rep. Witte

00:58:36 **Vote:** Motion carried 14-5 by roll call vote with Rep. Franklin, Rep. Jayne, Rep. Hiner, Rep. Hollenbaugh, and Rep. Musgrove voted no. Rep. Hiner voted by proxy.

01:00:07 **Motion/Vote:** Rep. Glaser moved **HB 283 DO PASS AS AMENDED.** Motion carried 17-2 by roll call vote with Rep. Hawk and Rep. Kasten voting no. Rep. Hiner voted by proxy.

EXECUTIVE ACTION ON HB 364

01:01:44 **Motion:** Rep. Ripley moved **HB 364 DO PASS.**

01:02:35 **Motion:** Rep. Ripley moved **TO AMEND HB 364.**

EXHIBIT(aph39a05)

Discussion:

01:02:57 Rep. Ripley

01:04:11 **Vote:** Motion carried 18-1 by roll call vote with Rep. Jayne voting no. Rep. Hiner voted by proxy.

01:04:55 **Motion:** Rep. Ripley moved **HB 364 DO PASS AS AMENDED.**

Discussion:

01:06:26 Rep. Morgan

01:07:02 **Vote:** Motion carried 10-9 by roll call vote, with Rep. Wells, Rep. Franklin, Rep. Jayne, Rep. Callahan, Rep. McChesney, Rep. Hollenbaugh, Rep. Sesso, Rep. Hawk, and Rep. Kasten voting no. Rep. Hiner voted by proxy.

EXECUTIVE ACTION ON HB 378

01:07:08 **Motion:** Rep. Clark moved **HB 378 DO PASS.**

Discussion:

01:09:51 Rep. Clark

01:09:54 Rep. Sinrud

01:10:06 **Vote:** Motion carried unanimously, 19-0 by roll call vote.

EXECUTIVE ACTION ON HB 462

Motion: Rep. Witte moved **HB 462 DO PASS.**

EXHIBIT(aph39a06)

Motion: Rep. Witte moved **TO AMEND HB 462.**

Discussion:

01:12:55 Rep. Witte

01:13:19 Rep. Franklin

01:15:01 Rep. Sinrud

01:15:35 Rep. Sesso

01:16:31 Rep. Sinrud

01:17:45 Rep. Sesso

01:20:23 Rep. Franklin

01:21:38 Rep. Sinrud

01:21:43 Rep. Witte

01:23:09 Rep. Franklin

01:23:30 Rep. Witte

01:23:41 Rep. Jayne

01:24:14 Rep. Witte

01:25:21 Rep. Franklin

01:26:33 Rep. Sinrud

01:27:58 Rep. Wells

01:29:36 Rep. Franklin

01:29:55 **Vote:** Motion carried 15-4 by roll call vote with Rep. Franklin, Rep. Callahan, Rep. Hiner, and Rep. Hollenbaugh voting no.

01:31:21 **Motion:** Rep. Witte moved **HB 462 DO PASS AS AMENDED.**

01:31:33 **Vote:** Motion carried 18-1 by roll call vote with Rep. Jayne voting no.

EXECUTIVE ACTION ON HB 466

01:32:52 **Motion:** Rep. Wells moved **HB 466 DO PASS.**

01:33:15 **Substitute Motion/Vote:** Rep. Morgan made a substitute motion **TO TABLE HB 466.** Motion carried 10-9 by roll call vote, with Rep. Wells, Rep. Ripley, Rep. Witte, Rep. Beck, Rep. Clark, Rep. Taylor, Rep. Hawk, Rep. Kasten, and Rep. Sinrud voting no.

EXECUTIVE ACTION ON HB 505

01:33:34 **Motion/Vote:** Rep. Wells moved **TO TABLE HB 505.** Motion carried 16-3 by roll call vote, with Rep. Franklin, Rep. Sesso, and Rep. Musgrove voting no.

EXECUTIVE ACTION ON HB 516

01:37:14 **Motion:** Rep. Sesso moved **HB 516 DO PASS.**

Discussion:

01:37:46 Rep. Sesso

01:38:15 **Substitute Motion/Vote:** Rep. Kasten made a substitute motion **TO TABLE HB 516.** Motion carried 11-8 by roll call vote with Rep. Franklin, Rep. Jayne, Rep. Callahan, Rep. Hiner, Rep. McChesney, Rep. Hollenbaugh, Rep. Sesso, and Rep. Musgrove voting no.

01:40:29 Break

EXECUTIVE ACTION ON HB 533

01:58:00 **Motion:** Rep. Kasten moved **HB 533 DO PASS.**

01:59:16 **Motion:** Rep Kasten moved **TO AMEND HB 533.**

EXHIBIT(aph39a07)

Discussion:

02:01:12 Rep. Morgan
02:01:16 Rep. Kasten
02:01:19 Rep. Sesso
02:01:55 Rep. Kasten

02:02:00 Rep. Kasten withdrew his motion.

02:02:55 **Motion/Vote:** Rep. Sesso moved a **CONCEPTUAL AMENDMENT** to strike 19 percent and insert 16 percent on Page 2, Line 4, and Page 3, Line 14. Motion carried 18-1 by roll call vote with Rep. Callahan voting no.

02:05:15 **Motion/Vote:** Rep. Kasten moved **HB 533 DO PASS AS AMENDED**. Motion carried 16-3 by roll call vote, with Rep. Franklin, Rep. Callahan, and Rep. Hiner voting no.

EXECUTIVE ACTION ON HB 547

02:05:45 **Motion:** Rep. Kasten moved **HB 547 DO PASS**.

02:08:10 **Motion:** Rep. Kasten moved a **CONCEPTUAL AMENDMENT** to strike "six" and insert "three" on Page 2, Line 4.

Discussion:

02:08:22 Rep. Morgan
02:08:49 Rep. Witte
02:09:24 Rep. Beck
02:09:53 Rep. McChesney
02:10:07 Rep. Kasten

02:11:00 **Vote:** Motion carried 10-9 by roll call vote with Rep. Jayne, Rep. Callahan, Rep. Witte, Rep. Beck, Rep. Hiner, Rep. Sesso, Rep. Morgan, Rep. Taylor, and Rep. Sinrud voting no.

02:11:45 **Motion:** Rep. Kasten moved **HB 547 DO PASS AS AMENDED**.

02:11:59 **Substitute Motion/Vote:** Rep. Sesso moved a substitute motion **TO TABLE**. Motion failed 6-13 by roll call vote, with Rep. Franklin, Rep. Callahan, Rep. Hiner, Rep. Hollenbaugh, Rep. Sesso, and Rep. Musgrove voting aye.

Discussion:

02:12:49 Rep. Sesso

02:16:17 **Vote:** Motion carried 11-8 by roll call vote, with Rep. Franklin, Rep. Callahan, Rep. Witte, Rep. Hiner, Rep. McChesney, Rep. Hollenbaugh, Rep. Sesso, and Rep. Musgrove voting no.

EXECUTIVE ACTION ON HB 561

02:19:14 **Motion:** Rep. Musgrove moved **HB 561 DO PASS.**

Discussion:

02:19:46 Rep. Wells

02:21:07 **Substitute Motion/Vote:** Rep. Wells moved **TO TABLE HB 561.** Motion carried 10-9 by roll call vote with Rep. Franklin, Rep. Jayne, Rep. Callahan, Rep. Ripley, Rep. Hiner, Rep. McChesney, Rep. Hollenbaugh, Rep. Sesso, and Rep. Musgrove voting no.

EXECUTIVE ACTION ON HB 575

02:22:00 **Motion:** Rep. Franklin moved **HB 575 DO PASS.**

02:23:25 **Substitute Motion:** Rep. Morgan moved **TO TABLE HB 575.**

Discussion:

02:23:36 Rep. Franklin

02:24:28 Rep. Sinrud

02:24:33 Rep. Franklin

02:26:29 **Vote:** Motion carried 11-8 by roll call vote, with Rep. Franklin, Rep. Jayne, Rep. Callahan, Rep. Hiner, Rep. McChesney, Rep. Hollenbaugh, Rep. Sesso, and Rep. Musgrove voting no.

EXECUTIVE ACTION ON HB 608

02:27:00 **Motion/Vote:** Rep. Wells moved **TO TABLE HB 608.** Motion carried 13-6 by roll call vote, with Rep. Callahan, Rep. Hollenbaugh, Rep. Sesso, Rep. Morgan, Rep. Musgrove, and Rep. Hawk voting no.

EXECUTIVE ACTION ON HB 618

02:28:00 **Motion:** Rep. Taylor moved **HB 618 DO PASS.**

02:29:50 **Motion:** Rep. Taylor moved a **CONCEPTUAL AMENDMENT** on HB 618 to take the expenditures from 20M down to 1M.

Discussion:

02:31:25 Rep. Witte
02:31:33 Rep. Sinrud
02:32:37 Rep. Musgrove
02:33:06 Mr. Moe

02:34:15 **Vote:** Motion carried 17-2 by roll call vote, with Rep. Franklin and Rep. Witte voting no.

02:35:12 **Motion/Vote:** Rep. Taylor moved **HB 618 DO PASS AS AMENDED.** Motion carried 19-0 by roll call vote.

EXECUTIVE ACTION ON HB 634

02:35:45 **Motion:** Rep. Taylor moved **HB 634 DO PASS.**

Discussion:

02:37:18 Rep. Morgan
02:37:42 Rep. Sinrud
02:36:59 Rep. Morgan

02:41:32 **Motion:** Rep. Morgan moved a **CONCEPTUAL AMENDMENT** to change the cap on the bond from \$325M to \$500M.

Discussion:

02:41:49 Rep. Musgrove
02:42:47 Rep. Sinrud

02:43:38 **Vote:** Motion carried unanimously 19-0 by voice vote.

02:44:03 **Motion:** Rep. Taylor moved **HB 634 AS AMENDED.**

Discussion:

02:44:18 Rep. Kasten

02:44:49 **Vote:** Motion carried unanimously 19-0 by voice vote.

EXECUTIVE ACTION ON HB 727

02:45:25 **Motion:** Rep. Taylor moved **HB 727 DO PASS.**

Discussion:

02:45:39 Rep. Taylor
02:48:11 Rep. Morgan
02:49:18 Rep. Callahan
02:50:05 Rep. Morgan
02:50:58 Rep. Callahan

02:51:15 **Vote:** Motion carried 11-8 by roll call vote, with Rep. Franklin, Rep. Callahan, Rep. Hiner, Rep. McChesney, Rep. Hollenbaugh, Rep. Sesso, Rep. Musgrove, and Rep. Kasten voting no. Rep. Musgrove voted by proxy.

EXECUTIVE ACTION ON HB 392

02:54:20 **Motion:** Rep. Taylor moved **HB 392 DO PASS.**

Discussion:

02:54:46 Rep. Morgan

02:54:59 **Substitute Motion/Vote:** Rep. Kasten moved **TO TABLE HB 392.** Motion failed 9-10 by roll call vote, with Rep. Wells, Rep. Franklin, Rep. Jayne, Rep. Callahan, Rep. Ripley, Rep. Hiner, Rep. McChesney, Rep. Hollenbaugh, Rep. Sesso, and Rep. Musgrove voting no. Rep. Musgrove voted by proxy.

02:55:30 Rep. Sinrud noted that the original motion is still on the table for a vote.

Discussion:

02:57:14 Rep. Witte
02:57:42 Rep. Morgan
02:58:23 Rep. Kasten
03:00:28 Rep. Sesso
03:01:22 Rep. Sinrud
03:02:20 Rep. Callahan
03:02:53 Rep. Kasten

03:03:13 **Motion/Vote:** Rep. Kasten moved **HB 392 DO PASS.** Motion failed 7-12 by roll call vote with Rep. Franklin, Rep. Jayne, Rep. Callahan, Rep. Hiner, Rep. McChesney, Rep. Hollenbaugh, and Rep. Musgrove voting aye. Rep. Musgrove voted by proxy.

03:05:16 **Motion:** Rep. Glaser moved to **REVERSE THE VOTE AND TABLE** the bill, without objection.

Supplemental Exhibits for HB 173:

[EXHIBIT](#) (aph39a08)

[EXHIBIT](#) (aph39a09)

[EXHIBIT](#) (aph39a10)

ADJOURNMENT

Adjournment: 12:13 P.M.

REP. JOHN SINRUD, Chairman

LINDA KEIM, Secretary

JS/lk

Additional Exhibits:

EXHIBIT ([aph39aad.pdf](#))